

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

ARTHUR J. TOMPKINS, JR.,

Plaintiff,

v.

Case No: 6:23-cv-1432-PGB-LHP

EQUIFAX INFORMATION
SERVICES, LLC, EXPERIAN
INFORMATION SOLUTIONS, INC,
TRANSUNION, LLC, SYNCHRONY
BANK and SCRATCH FINANCIAL,
INC,

Defendants

ORDER

This cause came on for consideration without oral argument on the following
motion filed herein:

**MOTION: MOTION FOR CLERK'S DEFAULT AGAINST
DEFENDANT EXPERIAN INFORMATION
SOLUTIONS, INC. (Doc. No. 27)**

FILED: August 31, 2023

**THEREON it is ORDERED that the motion is DENIED without
prejudice.**

Plaintiff moves for Clerk's default against Defendant Experian Information Solutions, Inc. (Experian). Doc. No. 27. On review, however, the motion will be denied without prejudice for failure to comply with Local Rule 3.01(a). Relatedly, the motion fails to adequately address, with citation to legal authority, that service of process on Experian was proper under governing law. *See generally United States v. Donald*, No. 3:09-cv-147-J-32HTS, 2009 WL 1810357, at *1 (M.D. Fla. June 24, 2009) (before a Clerk's default can be entered against a defendant, the Court must determine that the defendant was properly served). A renewed motion, which shall be filed on or before **September 15, 2023**, must include a memorandum of legal authority establishing that service of process was proper under applicable law.

DONE and **ORDERED** in Orlando, Florida on September 1, 2023.



LESLIE HOFFMAN PRICE
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties